

REMARKS

This Preliminary Amendment is filed in order to facilitate processing of the above-identified application and is filed in response to the Office Action dated October 16, 2006 in which the Examiner rejected claims 1-21 under 35 U.S.C. §103.

As indicated above, the claims have been amended in order to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability.

Claims 1, 8, 10, 12, 17 and 18 claim an image processing device, an image data handling system, a program for executing an image data handling method, an image data handling method and image data handling device. In the device, system, program and method, an index data includes a reading condition data which is data related to the destination of image data registered in a recording media. The index data is printed or output. In the claimed invention, since the destination where the image data is registered is printed or output, it is easy to identify the image data and efficiently select the image data even after a lapse of some time without increased effort. The prior art does not show, teach or suggest the invention as claimed in claims 1, 8, 10, 12, 17 and 18.

Claims 1-2, 8, 10, 12 and 17 were rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al.* (U.S. Patent 6,154,755) in view of *Wang* (U.S. Patent 6,069,715).

Dellert et al merely discloses at column 6, lines 22-37, printing image title, image timestamp and the image. Nothing in *Dellert et al.* shows, teaches or suggests printing the destination where the image data is registered as claimed in

claims 1, 8, 10, 12 and 17. Rather, *Dellert et al.* merely discloses printing a title, timestamp and the image.

Wang merely discloses scanning a document. Nothing in *Wang* shows, teaches or suggests printing the destination where the image data is registered as claimed in claims 1, 8 and 10, 12 and 17. Rather, *Wang* only discloses scanning a document.

Since nothing in *Dellert et al.* or *Wang* shows, teaches or suggests printing the destination where the image data is registered as claimed in claims 1, 8, 10, 12 and 17, Applicant respectfully requests the Examiner withdraws the rejection to claims 1, 8, 10, 12 and 17 under 35 U.S.C. §103.

Claim 2 depends from claim 1 and recites additional features. Applicant respectfully submits that claim 2 would not have been obvious within the meaning of 35 U.S.C. §103 over *Dellert et al.* and *Wang* at least for the reasons as set forth above. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claim 2 under 35 U.S.C. §103.

Claims 3-4, 6, 9, 11 and 13-15 were rejected under 35 U.S.C. 103 as being unpatentable over *Dellert et al.* in view of *Wang* and further in view of *Takayanagi* (U.S. Patent 5,680,226). Claim 5 was rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al.* in view of *Wang*, *Takayanagi* and further in view of *Parry* (U.S. Patent 6,148,331). Claims 7 and 16 were rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al.* in view of *Wang* and further in view of *Saukkonen* (U.S. Patent 6,011,590).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. §103. The claims have been reviewed in light of the Office Action, and for

reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in *Dellert et al.* or *Wang* show, teach or suggest the primary features as claimed in claims 1, 8, 10 and 12, Applicant respectfully submits that the combination of the primary references of *Dellert et al.* and *Wang* with the secondary references to *Takayanagi*, *Parry* and *Saukkonen* would not overcome the deficiencies of the primary references. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 3-7, 9, 11 and 13-16 under 35 U.S.C. §103.

Claims 18-21 were rejected under 35 U.S.C. §103 as being unpatentable over *Dellert et al.* in view of *Takayanagi*.

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. §103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, *Dellert et al.* merely discloses printing image title, image timestamp and the image (column 6, lines 22-37). Nothing in *Dellert et al.* shows, teaches or suggests outputting the destination where the image is registered as claimed in claim 18. Rather, *Dellert et al.* merely discloses printing the image title, image timestamp and the image.

Takayanagi merely discloses an image storing device 80 for storing image data obtained from first and second image input devices 20 and 60. Nothing in *Takayanagi* shows, teaches or suggests outputting the destination where the image

data is registered as claimed in claim 18. Rather, *Takayanagi* merely discloses a storage device 80.

Since neither *Dellert et al.* or *Takayanagi* shows, teaches or suggests outputting the destination where the image is registered as claimed in claim 18, Applicant respectfully requests the Examiner withdraws the rejection to claim 18 under 35 U.S.C. §103.

Claims 19-21 depend from claim 18 and recite additional features. Applicant respectfully submits that claims 19-21 would not have been obvious within the meaning of 35 U.S.C. §103 over *Dellert et al.* and *Takayanagi* at least for the reasons as set forth above. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 19-21 under 35 U.S.C. §103.

Thus, it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge
our Deposit Account No. 02-4800.

Respectfully submitted,

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